

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DUANE S. DEWALD

Application No. 09/750,640

MAILED

AUG 26 2003

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on August 11, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On July 25, 2003, an Order Returning Undocketed Appeal to Examiner (Paper No. 17) was mailed to the examiner for proper response to the reply brief filed June 27, 2003. A review of the file reveals that a "PTO-90" (Paper No. 18) was stated on the file Contents but there was no paper physically located in the application. Also, it appears that the "PTO-90" was not mailed

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to the appellant (no date provided on Contents of file). Before further review of this file, the examiner must submit Paper No. 18, and mail to appellant, the proper response to the reply brief.

Accordingly, it is

ORDERED that this application be returned to the examiner: 1) to submit Paper No. 18, and mail the proper response to reply brief; and 2) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

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